Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

LIMITED OFFICIAL USE

PAGE 01 LAGOS 02600 072252Z
ACTION AF-08

INFO OCT-01 ISO-00 SSO-00 SCS-03 L-03 SCA-01 H-01 DHA-02
/019 W
----------072323Z 063021 /66
O 071939Z MAR 77
FM AMEMBASSY LAGOS
TO SECSTATE WASHDC NIACT IMMEDIATE 9733

LIMITED OFFICIAL USE LAGOS 2600

E.O. 11652: N/A
TAGS: CASC (HARRIS, KENTON L.), NI
SUBJECT: QUESTIONS REGARDING DETENTION OF KENTON L. HARRIS

REF: (A) EASUM/ PATRICK--MARSHALL TELCON 071740Z MAR 77,
(B) 76 LAGOS A-30, (C) 76 LAGOS A-50, (D) 76 LAGOS 11288

BEGIN UNCLASSIFIED
THERE FOLLOW ANSWERS TO QUESTIONS POSED IN REFTELCON.

1. HAS HARRIS BEEN RELEASED
ANS.: YES, AT APPROXIMATELY 1400
HRS. LOCAL. HE DEPARTED LAGOS AT 1935 HRS. LOCAL ON PAN AM
185 FOR JFK.

2. WHAT WERE CHARGES BROUGHT AGAINST HARRIS? ANS.: NO CHARGES
WERE EVER BROUGHT.

3. BUT DOESN'T HABEAS CORPUS APPLY IN NIGERIA? ANS,: YES.
IN MOST CIRCUMSTANCES HABEAS CORPUS, AS GUARANTEED IN CHAPTER
111, SECTION 21(3) OF THE CONSTITUTION OF 1963 STILL APPLIES.
HOWEVER, UNDER THE ARMED FORCES AND POLICE SPECIAL POWERS DECREE
NO. 24 OF 1967 AND THE SUPREMACY AND ENFORCEMENT OF POWERS
DECREE NO. 28 OF 1970, THE JUDICIARY IS PREVENTED FROM QUES-
TIONING THE SUBSTANCE OF FMG DETENTION ORDERS.
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 LAGOS 02600 072252Z

BEGIN LIMITED OFFICIAL USE. (FYI. EMBASSY IS PRACTICALLY CERTAIN
NO OFFICIAL DETENTION ORDER WAS DRAWN UP ON HARRIS. THE NIGER-
IAN SECURITY ORGANIZATION (REEIC) PLACED HIM IN INVESTIGATIVE
DETENTION PURE AND SIMPLE. RESUME UNCLASSIFIED

4. WHY WAS CONSULAR ACCESS NOT GRANTED? ANS.: ALTHOUGH
EMBASSY REQUESTED CONSULAR ACCESS IN REPRESENTATIONS AND NOTE

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

TO MEA, AND MINISTRY AGREED TO LOOK INTO MATTER, FMG NEVER
OFFICIALLY ACKNOWLEDGED TO EMBASSY THAT HARRIS WAS IN THEIR
CUSTODY.
CROSBY

LIMITED OFFICIAL USE

NNN

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 07-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977LAGOS02600
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770078-0511
Format: TEL
From: LAGOS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770387/aaaacyht.tel
Line Count: 66
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: d65481bc-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 LAGOS A-30, 76 LAGOS A-50, 76 LAGOS 11288
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 03-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3188634
Secure: OPEN
Status: NATIVE
Subject: QUESTIONS REGARDING DETENTION OF KENTON L. HARRIS
TAGS: CASC, NI, (HARRIS, KENTON L)
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/d65481bc-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009